IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE M.H.S.ANSARI

and
THE HON'BLE MR JUSTICE T.CH.SURYA RAO

WRIT PETITION NO : 12810 of 2004

Between:

M/s.Hyderabad Pollution Controls Ltd.,

Plot No.95G, IDA Jeedimetla,

Ranga Reddy District,
rep., by its Director, Mr.N.A.Nair.

..... PETITIONER

AND

1 Commercial Tax Officer, Jeedimetla Circle, Hyderabad.
2 Additional Commissioner, Commercial Taxes,

Legal, Andhra Pradesh,
Office of Commissioner of Commercial taxes,

Opp:Gandhi Bhavan, M.J.Road, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of certiorari or any other appropriate writ or order or directions calling for the records of the 2nd respondent dt.30-06-2004 in CCT's Ref.No.L.III(3)/2326/03 and quash the same as arbitrary, contrary to law and against the weight of evidence and probabilities of the petitioner's case. Consequently, grant stay of collection of disputed taxes of Rs.1,13,557/- and Rs.7,13,793/- for the assessment years 1998-99 and 1999-2000 respectively both under Central Sales Tax pending disposal of the appeals before the Sales

Tax Appellate Tribunal, Hyderabad.

Counsel for the Petitioner: MR.SHAIK JEELANI BASHA

Counsel for the Respondents: GP FOR COMMERCIAL TAX

The Court made the following :

ORDER:(Per TCSR,J)

It is represented by the learned counsel for the petitioner that orders were pronounced by the Appellate Tribunal on 21-02-2005. In view of the same, the writ petition becomes infructuous, since the petitioner has to pursue the remedies available under law as against the orders passed by the Appellate Tribunal.

The writ petition is, therefore, dismissed as infructuous, but under the circumstances no order as to costs.

_____

M.H.S.ANSARI,J

_____

T.CH.SURYA RAO,J

Date: 14-03-2005

Prv

To

1 The Commercial Tax Officer,

Jeedimetla Circle, Hyderabad.

2 The Additional Commissioner,

Commercial Taxes,

Legal, Andhra Pradesh,
Office of Commissioner of Commercial taxes,

Opp:Gandhi Bhavan, M.J.Road, Hyderabad.

3 Two CCs to GP for Commercial Tax, High Court of

Andhra Pradesh, Hyderabad (OUT).

4 Two CD copies.